IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

WP(C).No. 16868 of 2007(G)

PETITIONER:

KURIAKOSE ZACHARIAH, S/O.C.M.SCARIAH,
RESIDING AT CHIRAYIL, T.C.NO.11/0671, MOSQUE
LANE, KESAVADASAPURAM, THIRUVANANTHAPURAM.

BY ADV. SRI.K.JAYAKUMAR
SRI.R.SURAJ KUMAR

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, DEPARTMENT OF LOCAL
SELF GOVT. INSTITUTIONS, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE CORPORATION OF THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY, CORPORATION
OFFICE, THIRUVANANTHAPURAM.

3. ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, THIRUVANANTHAPURAM.

4. NIZAMUDEEN, S/O.ALIYARUKUNHU,
AGED 44, RESIDING AT `THIRUVATHIRA',
PUTHENVILA, T.C.NO.11/670, MOSQUE LANE,
KESAVADASAPURAM, THIRUVANANTHAPURAM.

R1 BY SRI.K.J.MOHAMMED ANZAR, SR. GOVT. PLEADER.
R2 BY SRI.N.NANDAKUMARA MENON, SC.
R3 BY SRI.M.K.CHANDRA MOHANDAS, SC, PCB.
R4 BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 16868 OF 2007

Dated this the 11th day of December, 2007

JUDGMENT

Having regard to the submissions addressed at the Bar by counsel appearing for various parties, including Sri.N.Nandakumara Menon, Standing Counsel for the Thiruvananthapuram Corporation and Sri.M.K.Chandra Mohandas, Standing Counsel for the Pollution Control Board, I am of the view that this Writ Petition itself can be disposed of issuing the following directions:

A copy of the report submitted by the 3rd respondent will be served on the 4th respondent. The 2nd respondent will take up Ext.P3 representation, hear the petitioner and the 4th respondent taking into account the report submitted by the Pollution Control Board in this Court and objections, if any, filed to that report before the Corporation by the 4th respondent and take a correct decision on Ext.P3. Hearing as directed above will be conducted and decision will be taken, at the earliest and at any rate, within six weeks of receiving copy of this judgment.

PIUS C. KURIAKOSE, JUDGE

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